

STATE OF MICHIGAN



JOHN ENGLER, Governor
DEPARTMENT OF ENVIRONMENTAL QUALITY

"Better Service for a Better Environment"

HOLLISTER BUILDING, PO BOX 30473, LANSING MI 48909-7973

INTERNET: www.deq.state.mi.us

RUSSELL J. HARDING, Director

US EPA RECORDS CENTER REGION 5



526971

REPLY TO:

SURFACE WATER QUALITY DIVISION
KNAPPS CENTRE
PO BOX 30273
LANSING MI 48909-7773

TELECOPY COVER SHEET

TO:

NAME: Sy Vongphasouk
FIRM: Cadillac District Office
PHONE #: (231) 775-3960
FAX #: (231) 775-1511

FROM:

Jeff Fischer
Permits Section, Surface Water Quality Division
Phone #: (517) 335-4188
Fax #: 517-241-8133

Total Number of Pages (including cover sheet): 7

Comments: Sy, this is the letter and information given to me by Mr. Boals regarding the discharge easement.

COPY ORIGINAL: ☐ will not follow ☐ will be mailed ☐ will be delivered
(circle one)

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ECONOMIC DEVELOPMENT COMMITTEE

Minutes of December 15, 1999

DRAFT

PRESENT: STROM, ROKOS, CHARTERS, LAGOWSKI, CHILDS, HADLEY, LANGE, ZIRNHELT

ALSO PRESENT: Derenzy, Chris Hubbell, Al Zelinski, Brad Boals

Meeting called to order at 10:35a.m. by Chairman Strom

Approval of November 18, 1999 Minutes: **MOVED** by Zirnheld supported by Rokos minutes of November 18, 1999 be approved as printed. **APPROVED** unanimously.

Appraisal, Accounting and Storage: Project application was referred back to EDC from the County Board requesting EDC review wastewater disposal issue and zoning issue. Further, based on November meeting, business plan was to be submitted.

As part of the packet, three year business plan was provided. Financial statements were completed by Dennis, Gartland and Niergarth. Appraisal of property was handed to members.

Question from Board as to company and/or person that will be taking care of accounting records for business. Zelinski stated Gregory Seman and Company will be primary company but will subcontract this particular business out to Dennis, Gartland and Niergarth who have more expertise in commercial taxes/accounting. Seman will oversee the work.

Balance sheet which was provided to EDC Board in November was completed by applicant and done in-house. Business has grown tremendously and have outgrown their accounting, and recognize the need for accounting business to assist in their business accounting.

Rokos stated long-term assets increased significantly, which apparently was property that was not included on previous submittal. Also significantly changed depreciation schedule on equipment, reclassification of current liability and long-term liability. Appraisal of property was needed based on bank's criteria for loan applicants.

Hadley inquired on debt load and where the comfort level came from on the bank's standpoint. Zelinski stated based on all balance sheet and appraisals. Zelinski stated National City requires that appraisal experts review all appraisals that are submitted, therefore appraisals are reviewed by two separate experts, one working for company and one working for bank.

Smits inquired of environmental. Zelinski stated that phase one is complete which came back showing no problem. However, based on past history/use of property phase two environmental was requested. Therefore, soil tests have been taken, early tests show no contamination, however complete tests are not yet complete. Childs stated approval of application can be subject to environmental coming back clean.

Smits asked Hubbell how much wastewater is anticipated to be generated. Hubbell stated any and all the brine that come into the plant will be put out on the ground. Smits asked if there would be any wastewater on site. Hubbell stated all would be irrigated. Drain water from floor would be segregated and go to holding lagoon and then spray irrigation.

Smits inquired if wastewater permit has been pulled. Hubbell stated would have trickle irrigation and do not have to apply for permit under the Right To Farm Act. Hubbell stated there would be no detergent, no release of residual. Product will be separated from the brine little or no residual. Smits asked if this was reviewed with the DEQ. Hubbell stated have reviewed this with consultant and they have stated process is permitted.

Board inquired of Brad Boals, neighbor to Williamsburg Receiving and Storage, if he is satisfied with process that is proposed for wastewater on site. Boals stated there has been a long history with property and he has talked with Hubbell and does not believe there will be a problem. ~~Smits to pump all wastewater back up to irrigation system, else water will be captured and reused.~~ Consultant is left out of Mancelona.

EDC Board inquired of reasoning behind County Board's decision to have EDC review wastewater issue. Childs stated at the public hearing issue was raised on an environmental concern. EDC, as the board reviewing application, is the appropriate board to review all aspects of business. Childs stated EDC Board now has expertise in the area of environmental with Andrew Smits.

Zirnhelt stated EDC is not in the same position as bank as EDC is in second position with the security. Childs stated EDC exists because of taking some risk. Zirnhelt acknowledges the risk involved, however need more assurance and review then just bank's approval.

Hadley questions financials. Rokos stated he is comfortable with new financials that were provided.

MOVED by Zirnhelt supported by Lange to approve Williamsburg Receiving and Storage application contingent that appraisals on both properties are provided, phase two environmental is acceptable to bank and security is determined sufficient. **APPROVED** unanimously.

Hubbell, Zelinski and Boals excused at 11:10a.m.

Traverse City Cast:

Letter was sent to Mike Shapiro based on EDC's recommendation from November. Shapiro agrees with all conditions, except requests that personal guarantee only be 25%

Discussion. Board members feel that percentage of the loan is unacceptable. Will not change recommendation, guarantee must be for 100% of balance.

Meeting adjourned at 11:20a.m.

Peter Strom, Chairman

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TO: Jeff Fisher - DEQ

FROM: Brad Boals

Exemption 6

Phone

SUBJECT: Our phone conversation of 6/13/00

The brine drainage I mentioned is located on the hill on the corner of Munro & Angell Roads. It appears to be ~~clear~~ killing the ~~vegeta~~ vegetation on the hill and now the ditch before it enters a culvert. Where it crosses the road and enters another culvert (recently installed by Williamsburg Recycling & Storage on the south side of Angell Road) and eventually exists about 100 ft ~~south~~ west of the corner of Munro & Angell where the brine is starting to kill vegetation there.

Question - Is this an allowed process for draining water off a series of brine pits.

6/13/00

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As to the Haney Easement I hope the map I'm providing you helps provide you with a better understanding of situation.

In the past I have allowed for a fee Williamsburg Receiving & Storage - Gray & Co. - and Glen La Cross of Leelanau Fruit to drain cooling water onto my property.

I have leases & copies of checks going back to the mid 1980's and will provide you with copies if you wish.

In the early 90's Gray & Co tried to get out of paying me via the Haney Easement but when I contacted the main office in Oregon they paid up shortly after. I would be glad to provide copies of this correspondence.

During our phone conversation you mentioned that Chris Hubbell denies ever telling me that they would no longer have a need ~~as~~ for my property. I still maintain he did.

It occurred at a meeting at his request the result of a meeting of the Grand Traverse County Board of Commissioners where Williamsburg Receiving & Storage was requesting a low-interest loan for expansion of their business into brine cherry processing. I brought some

6/13/00

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questions about the waste water and Chris Hubbell invited me up the plant to discuss the waste water situation.

A few days later I walked over and asked if they had some time to talk (they were in the middle of remodelling their offices). Chris agreed and outlined a waste management plan that included a pond they would construct and trickle irrigation onto his family's property. He also informed me that this plan would take care of all the waste water produced at the site and that they would no longer need my property. Which didn't break my heart because I don't want anything to do with brine waste or the possibility of brine waste on my property.

I wished him luck on his new venture and left. At this meeting in addition to myself and Chris Hubbell was his wife [REDACTED] a [REDACTED] and for part of the discussion [REDACTED]

Exemption 6 applies to these portions

It would not surprise me if none of these individuals remembers this meeting but at least now you have my version.

Bradley J Boals